

FISCAL NOTE

HB 951 - SB 839

April 7, 2003

SUMMARY OF BILL:

- Defines agricultural or forest activity to specifically include the use of the most practical equipment to remove downed trees, debris, gravel and sandbars from creeks, streams and ditches that cross or border agricultural or forestry lands, and any activity designed to return such creeks and streams to their original channels when appropriate.
- Requires each county legislative body to establish a board of control to oversee and regulate any agricultural or forestry lands maintenance activities that would occur in creeks, streams and ditches excluding rivers within their geographical boundaries:
- Provides that each board:
 - shall consist of five members appointed by the county executive body for a term of four years; shall be residents of the county and shall own forestry or agricultural lands in the county.
 - shall elect a board chairman and a secretary. The secretary shall initiate the terms and conditions and policy necessary for its county operation of the stream maintenance activities.
 - shall meet at the call of the board chairman as often as necessary to properly process the stream maintenance applications submitted by the landowners.
- Requires each county to initiate its own enforcement policy on stream maintenance activities to include administrative or legal action, as appropriate.
- Provides if a county encounters a point source discharge of a pollutant into a stream, the county board of control would take the necessary corrective action.

ESTIMATED FISCAL IMPACT:

Decrease State Revenues - Less Than \$100,000

Decrease State Expenditures - Less Than \$100,000

Increase Local Govt. Expenditures - Less Than \$100,000

Increase Local Govt. Revenues - Less Than \$100,000

Estimate assumes:

- a decrease in state revenues and expenditures in the Department of Environment and Conservation from a decrease in the number of permits issued.
- an increase in local government expenditures to establish a board to oversee and regulate agricultural or forestry land maintenance activities and to enforce policies on stream maintenance activities.
- an increase in local government revenues from fees and fines collected from violations of liable parties.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director